

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Robert E. Blackburn**

Civil Action No. 13-cv-00365-REB-CBS

DOUGLAS E. MILLER, and  
FRANCES ELLEN MILLER, a/k/a F. ELLEN MILLER,

Plaintiffs,

v.

TIMOTHY M. BUCHHEIT REVOCABLE TRUST,  
JON F. BUCHHEIT REVOCABLE TRUST,  
JEFFREY J. BUCHHEIT REVOCABLE TRUST,  
DOUGLAS P. BUCHHEIT REVOCABLE TRUST,  
NICHOLAS J. BUCHHEIT REVOCABLE TRUST,  
AMY BUCHHEIT MCCABE REVOCABLE TRUST,  
KRISTI A. HAHS REVOCABLE TRUST,  
KATE ANN LOUISE BUCHHEIT REVOCABLE TRUST,  
RONALD C. UNTERREINER,  
HERBERT GRAETZ,  
ROBERT E. MOSER,  
JOE BULLOCK,  
JEFFREY UNTERREINER, CPA, and  
BEGLEY YOUNG UNTERREINER & WHITE LLC,

Defendants.

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**ORDER OF DISMISSAL AS TO THE BUCHHEIT DEFENDANTS**

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**Blackburn, J.**

The matter is before me on the **Notice of Voluntary Dismissal Without Prejudice** [#38]<sup>1</sup> filed April 18, 2013. After reviewing the notice and the record, I conclude that the notice should be approved and that plaintiffs' claims against defendants, Timothy M. Buchheit Revocable Trust; Jon F. Buchheit Revocable Trust;

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<sup>1</sup> "[#38]" is an example of the convention I use to identify the docket number assigned to a specific paper by the court's electronic case filing and management system (CM/ECF). I use this convention throughout this order.

Jeffery J. Buchheit Revocable Trust; Douglas P. Buchheit Revocable Trust; Nicholas J. Buchheit Revocable Trust; Amy Buchheit McCabe Revocable Trust; Kristi A. Has Revocable Trust; and Kate Ann Louise Buchheit Revocable Trust (the “Buchheit Defendants”), should be dismissed without prejudice.

**THEREFORE, IT IS ORDERED** as follows:

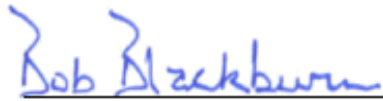
1. That the **Notice of Voluntary Dismissal Without Prejudice** [#38] filed April 18, 2013, is **APPROVED**;

2. That plaintiffs’ claims against the Buchheit Defendants are **DISMISSED WITHOUT PREJUDICE**; and

3. That the Buchheit Defendants, Timothy M. Buchheit Revocable Trust; Jon F. Buchheit Revocable Trust; Jeffery J. Buchheit Revocable Trust; Douglas P. Buchheit Revocable Trust; Nicholas J. Buchheit Revocable Trust; Amy Buchheit McCabe Revocable Trust; Kristi A. Has Revocable Trust; and Kate Ann Louise Buchheit Revocable Trust, are **DROPPED** as named parties to this action, and the case caption is amended accordingly.

Dated April 18, 2013, at Denver, Colorado.

**BY THE COURT:**

  
Robert E. Blackburn  
United States District Judge